

VZCZCXYZ0000
RR RUEHWEB

DE RUCNDT #0149/01 0491745
ZNR UUUUU ZZH
R 181745Z FEB 09
FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC 5870
INFO RUEHDS/AMEMBASSY ADDIS ABABA 1858
RUEHAS/AMEMBASSY ALGIERS 1769
RUEHBR/AMEMBASSY BRASILIA 1066
RUEHRI/AMCONSUL RIO DE JANEIRO 0006
RUEHGV/USMISSION GENEVA 3539

UNCLAS USUN NEW YORK 000149

SIPDIS

E.O. 12958: N/A
TAGS: [ECON](#) [PHUM](#) [USUN](#)
SUBJECT: UN ECONOMIC AND SOCIAL COUNCIL: COMMITTEE ON NGOS

REF: STATE 7030

¶1. Summary and comment: At its regular session January 19-28, ECOSOC's Committee on Non-Governmental Organizations (CNGO) recommended ECOSOC consultative status for 21 US. NGOs. Action on the Democracy Coalition Project's application was deferred until the Committee's next session in May. The CNGO voted against the application of the Associacao Brasileira de Gays, Lesbicas e Transgeneros (ABGLT), but it was close and Brazil is likely to ask ECOSOC to overturn the decision. The CNGO voted to recommend a one-year suspension for the Arab Commission for Human Rights (ACHR), an accredited NGO, based on a complaint filed by the Algerian Government; but the U.S. delegation abstained as instructed, saying the Committee did not have enough information. The CNGO also suspended the application of the Ethiopian Human Rights Council. The National Democratic Institute for International Affairs withdrew its application for ECOSOC status, complaining that the CNGO's application process is "non-transparent and inconsistent, and in our view does not reflect the values of the United Nations." A U.S. proposal to have the UN Secretariat check NGO applications against the UN's al-Qaeda and Taliban sanctions list met continued opposition from Cuba, Egypt, and Qatar, but remains on the agenda of the CNGO's working group. End summary.

¶2. During the resumed session, the CNGO had before it 157 applications for consultative status, including 53 which had been deferred from earlier sessions. Of those applications, the CNGO recommended 64 for consultative status, deferred 86 for further consideration, and closed consideration of four organizations. It did not recommend consultative status for one organization and two organizations withdrew their applications. The CNGO also reviewed the quadrennial reports of 108 accredited NGOs, including 13 that had been deferred from earlier sessions.

DEMOCRACY COALITION PROJECT

¶3. The U.S. delegation initially intended calling a vote recommending approval of this long-standing application, but decided at the last minute (with DCP's approval) not to do so due to an anticipated close vote and the absence of one delegation expected to vote in favor of DCP (Burundi) and the wavering of a previously committed delegation (Qatar). The Committee deferred action on the application until May. If the application is approved then, ECOSOC will likely approve it in July and nothing is lost, as formal ECOSOC approval of the Committee's recommendations is required in any case for accreditation to become effective.

ABGLT

¶4. The CNGO voted not to recommend consultative status for the Associacao Brasileira de Gays, Lesbicas e Transgeneros (ABGLT), but the vote was close. Egypt, which with other OIC

members of the Committee often votes against gay and lesbian groups, recommended a procedural "no action" motion, but the Committee rejected this by a vote of 7-9 (U.S.)-2 The UK then called for a vote on the recommendation to grant special consultative status to ABGLT, but this was defeated 6 (U.S.)-8-4 The U.S. voted in favor of ABGLT's application, as instructed (reftel). The supporters of the NGO, led by Brazil (which though not a member of the CNGO is a member of ECOSOC) will attempt to overturn the Committee's decision in the annual ECOSOC meeting in July. Generally, ECOSOC is more favorable to gay and lesbian NGOs than is the CNGO, and given the close vote in the latter a reversal in the former is not unlikely.

ARAB COMMISSION FOR HUMAN RIGHTS

¶5. The Government of Algeria had filed a complaint against the ACHR alleging it had allowed a non-member of the NGO, Rachid Mesli, to speak on its behalf during deliberations of the Human Rights Council in June 2008 in Geneva, despite the fact that the GOA had brought charges of association with a terrorist organization against Mesli and a warrant for his arrest is currently outstanding. Mesli, a former Amnesty International "prisoner of conscience," lives in Switzerland and enjoys refugee status there. Per instructions (ref. A), the United States pushed for deferral of the matter on the basis that the CNGO had not had time to gather all the facts.

When this deferral request failed, the U.S. as instructed called for a vote on the recommendation of Peru to suspend the NGO for one year. The CNGO voted to accept Peru's recommendation 18-0-1(U.S.). At the end of the year-long suspension, barring further complications, ACHR's consultative status will be restored.

ETHIOPIAN HUMAN RIGHTS COUNCIL

¶6. The Committee suspended the application of the Ethiopian Human Rights Council (EHRC). This NGO had registered properly with the Ethiopian Government and then properly applied to ECOSOC for accreditation. Between the time the NGO applied and the time the CNGO reviewed its application, however, the Ethiopian Government changed its laws regarding the registration of NGOs. A new law states NGOs will not be registered if they receive more than 10 percent of their funding from outside of Ethiopia. Opponents of the EHRC application argued that being properly registered with one's own government is required by the CNGO's 1996 guiding resolution. Once EHRC registers under the new law, they argued, the CNGO will begin considering its application again and the NGO will not have to re-apply. (We defer to Embassy Addis Ababa to say whether EHRC will be able to qualify for registration under the new law.)

NDI

¶7. The National Democratic Institute for International Affairs was one of two U.S. NGOs to withdraw its application from consideration. The other was African Action. NDI said in a January 30, 2008 letter to the UN Secretariat that it was withdrawing its application, pending for more than a year and a half, because it had been subjected to arbitrary questioning by the CNGO. It complained that the CNGO's application process is "non-transparent and inconsistent, and in our view does not reflect the values of the United Nations."

VETTING NGO APPLICATIONS FOR TERRORIST CONNECTIONS

¶8. In the January 2008 session of the CNGO, the United States succeeded in adding to the agenda of the Committee's working group an agenda item, entitled, "Ways to ensure that NGOs, being considered for consultative status or reviewed for any other matter, are not involved in any international criminal activity, including terrorism, as envisaged in ECOSOC resolution 1996/31." The majority of CNGO members, led by Cuba and Egypt, oppose this initiative, saying the issue is outside the scope of the mandate of the CNGO and the

use of the UN's terrorist and criminal lists will be prejudicial to Islamic NGOs because the main UN terrorist list is the al-Qaeda and Taliban sanctions list maintained by the 1267 Committee of the Security Council. During the CNGO's resumed session in May-June 2008, Cuba, Egypt, and Qatar tried to close debate on this matter in the working group so they could claim the group had discussed the issue without reaching a consensus. USUN, however, was able to get the same agenda item added to group's 2009 agenda. The working group met again during the current session with no further progress, and opposition delegations are still pushing hard to close this debate with no action.

OTHER NGO'S

¶9. Among the recommended NGOs were several U.S.-based ones, including the Human Rights Education Association (HREA), World Lung Foundation, Drug Abuse Resistance Education America (DARE), Fairleigh Dickinson University, Congregation of Our Lady of Mount Carmel - Carmelite NGO, Corporate Accountability International, Friend of Africa International, Campaign for Innocent Victims in Conflict (CIVIC), International Center for Innovations in Civic Participation, Girls Learn International, International Center of Medical Colleges, Women's Bar Association of the State of New York, and the Bar Association for International Governmental Organizations. It should be noted that about one-third of the total accredited NGOs are U.S.-based.

¶10. Fairleigh Dickinson University (FDU) had faced strong opposition from several delegations, led by Egypt, who questioned whether FDU met the definition of an NGO. However, after an appearance before the Committee by an FDU representative and an explanation by our delegation that applicable resolution 1996/31 states clearly that any organization that is not for profit and not run by a government may be considered an NGO, the application was approved by consensus.

¶11. The CNGO also recommended granting consultative status to the Congregation of Our Lady of Mount Carmel - Carmelite NGO. Carmelite had faced strong opposition from a couple delegations, led by Egypt, who questioned whether a religious organization could be accredited. However, after an appearance before the Committee by a Carmelite representative and explanation by the U.S. delegation that applicable resolution 1996/31 states clearly that Carmelite was an eligible NGO, the application was finally approved by consensus.

¶12. Of the applications deferred until the May 2009 CNGO session, there are several more U.S. NGOs, including the Assyrian Academic Society, International Association of Women Judges, International Reading Association, and the International Center for Transitional Justice. Most of these applications were deferred because a few Committee members (often led by Egypt) posed numerous questions in order to defer action on the applications of NGO's with which for a variety of reasons they have disagreements.

¶13. The CNGO deferred action on the application of the Australian NGO Muslim Aid Society (MAA). Australian counter-terrorism police had raided the offices of MAA in July 2008 on suspicion of channeling aid through the Islamic organization INTERPAL, banned in Australia for its alleged links to terrorism. (INTERPAL (Inter-Palestinian Organization) is also on the U.S. Treasury Department's OFAC sanctions list.) The Australian Ambassador, however, addressed the CNGO and said the investigation by Australian police into MAA had concluded and no charges were filed. MAA is also allegedly involved with the NGO Union of Good, an umbrella organization comprised of over 50 Islamic charitable funds and foundations worldwide, which is also on the United States' OFAC sanctions list.

¶14. The application of the U.S. NGO Women's Business Development Center - Florida was closed without prejudice

because the NGO had not responded to three reminders from the Committee to answer the questions the Committee had submitted to it.

¶15. Comment: The CNGO's contentious sessions during the last few years show the extent to which some members of the Committee tend to make decisions based on political considerations rather than the merits of the NGOs applying for accreditation. This was particularly evident in the actions of the delegations of Egypt and Cuba, but also, in some cases, of Russia, China, Pakistan and Qatar. NDI's criticism of the Committee (paragraph 7 above) has merit in our view.

Rice